



# UNITED STATES PATENT AND TRADEMARK OFFICE

mn

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,370	03/03/2005	Peter Parnes	1501/1295	3357
466	7590	07/11/2007		
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER SCIACCA, SCOTT M	
			ART UNIT	PAPER NUMBER
			2109	
			MAIL DATE	DELIVERY MODE
			07/11/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/526,370

Applicant(s)

PARNES ET AL.

Examiner

Scott M. Sciacca

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/3/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 9 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Giving the claim its broadest reasonable interpretation, the "computer program product" claimed in Claim 9 is non-statutory because it is not limited to a process, machine, article of manufacture, or composition of matter. The specification does mention software that "resides in a memory associated with the means for transmitting" on page 6, lines 13-14. If this part of the specification is the basis for the "computer program product" of Claim 9, then it will fall within statutory subject matter. However, it is unclear from the wording "computer program product" in Claim 9, whether or not the second paragraph of page 6 in the specification is the basis for this claim.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2109

3. Claims 1-2, 4-6 and 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Friedman et al. (US 6,240,513).

Regarding Claims 1 and 5, Friedman teaches a method and system for transmitting a media stream of data from a sending client terminal to a receiving client terminal, the terminals being arranged in a protected computer environment including at least one protective means (security device 400 – See Fig. 4) in association with a data forwarding means (A network security device is connected between a protected client and a network – See Abstract lines 1-2), which protective means is intended to protect the receiving client terminal from data transmitted from unauthorized sending clients (a communication received from the network goes from the second interface, to the processing circuit, to the first interface and to the protected client – See Col. 5, lines 22-25), the method comprising the steps of:

Transmitting authorization data from the receiving client terminal to the sending client terminal via the protective means for instructing the means to allow return of a media stream from the sending client terminal to the receiving client terminal during a predetermined period of time (The networking system is for communication, key exchange – See Col. 8, lines 43-44; The dynamic keys have a predetermined lifespan and are replaced periodically, such as every 24 hours – See Col. 5, lines 39-40),

characterized by the receiving client terminal being adapted to independently transmit authorization data via the protective means at shorter intervals than said predetermined period of time for maintaining the allow return mode of the protective

Art Unit: 2109

means (The dynamic keys have a predetermined lifespan and are replaced periodically, such as every 24 hours – See Col. 5, lines 39-40).

Regarding Claim 2, Friedman teaches the method of transmitting a media stream according to Claim 1, characterized by the protective means being a firewall arrangement (A network security device is connected between a protected client and a network – See Abstract lines 1-2).

Regarding Claim 4, Friedman teaches a method of transmitting a media stream according to Claim 1, characterized by the data forwarding means being a router, switch or bridge between client terminals in a communication network (router 456 which routes communications between the LAN 450 and a WAN 100, such as the Internet – See Col. 8, lines 9-10).

Regarding Claim 6, Friedman teaches a system for transmission of a media stream according to Claim 5, characterized in that the protective means is a firewall arrangement (A network security device is connected between a protected client and a network – See Abstract lines 1-2).

Regarding Claim 8, Friedman teaches a system for transmission of a media stream according to Claim 5, characterized in that the data forwarding means is a router, switch or bridge between client terminals in a communication network (router 456 which routes communications between the LAN 450 and a WAN 100, such as the Internet – See Col. 8, lines 9-10).

Regarding Claim 9, Friedman teaches a computer program product for transmitting a media stream of data from a sending client terminal to a receiving client

Art Unit: 2109

terminal, the terminals being arranged in a protected computer environment including at least one protective means (security device 400 – See Fig. 4) in association with a data forwarding means (A network security device is connected between a protected client and a network – See Abstract lines 1-2), which protective means is intended to protect the receiving client terminal from receiving data transmitted from unauthorized sending clients (a communication received from the network goes from the second interface, to the processing circuit, to the first interface and to the protected client – See Col. 5, lines 22-25), characterized in that the computer program product is adapted for carrying out the method steps of Claim 1 (the inventive network security device is a hardware/software combination in a preferred implementation – See Col. 7, lines 11-12).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman et al. (US 6,240,513) in view of Bouleros et al. (US 7,224,696).

Regarding Claim 3, Friedman teaches a method of transmitting a media stream according to Claim 1, but fails to explicitly teach the protective means being a network

Art Unit: 2109

address translator, NAT. However, Bouleros does teach the protective means being a network address translator (In one example the node is integral with the address translation node – See Col. 3, lines 9-10; Advantageously the node is arranged to provide a secure connection between itself and the service provider network – See Col. 3, lines 13-14). Friedman and Bouleros are analogous art because they both deal with transmitting a stream of data in a network. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Friedman's method of transmitting a media stream to include NATs as the protective means. One would have been motivated to do so because NATs provide an additional security measures for external entities seeking information about the private IP addresses behind the NAT.

Claim 7 is rejected for reasons similar to Claim 3.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Sciacca whose telephone number is (571) 270-1919. The examiner can normally be reached on Monday thru Friday, 7:30 A.M. - 5:00 P.M. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2109

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SS



JEFFREY PWU  
SUPERVISORY PATENT EXAMINER